

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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| MIGUEL MEDINA, |) | |
| |) | |
| Plaintiff, |) | Case No. 1:22-cv-05043 |
| |) | |
| v. |) | Judge Manish S. Shah |
| |) | |
| P.O. CHRISTOPHER LIAKOPOULOS, P.O. RUBEN REYNOSO, and the CITY OF CHICAGO |) | Mag. Judge Sheila M. Finnegan |
| |) | |
| |) | |
| Defendants. |) | Jury Demand |

FIRST AMENDED COMPLAINT

NOW COMES the Plaintiff, MICHAEL MEDINA, by and through his attorneys, GREGORY E. KULIS & ASSOCIATES, LTD., complaining against the Defendants, P.O. CHRISTOPHER LIAKOPOULOS, P.O. RUBEN REYNOSO, and the CITY OF CHICAGO, as follows:

COUNT I – EXCESSIVE FORCE

- 1) This action is brought pursuant to the Laws of the United States Constitution, specifically, 42 U.S.C. §1983 and §1988, and the laws of the State of Illinois, to redress deprivations of the Civil Rights of the Plaintiff and accomplished by acts and/or omissions of the Defendants committed under color of law.
- 2) Jurisdiction is based on Title 28 U.S.C. §1343 and §1331, and supplemental Jurisdiction of the State of Illinois.
- 3) The Plaintiff, MICHAEL MEDINA, was at all relevant times a United States citizen and permanent resident of the State of Illinois.

4) The Defendants, P.O. CHRISTOPHER LIAKOPOULOS and P.O. RUBEN REYNOSO were at all relevant times duly appointed police officers of the CITY OF CHICAGO and were acting within the scope of their employment and under color of law.

5) On July 22, 2022, the Plaintiff around 7:30 a.m. was walking in the vicinity of the 1000th block of W. 18th St. in Chicago, Illinois with a few individuals.

6) The Plaintiff Miguel Medina was not breaking any laws or committing any crimes.

7) The Defendants approached in a police vehicle and started to question the individuals.

8) The Plaintiff showed his hands and walked away.

9) The Plaintiff had no weapon.

10) The Plaintiff did not threaten or pose a threat to the officers.

11) The Plaintiff was not committing a crime or breaking any laws at that time as well.

12) The Plaintiff was not threatening the Defendants or anyone else.

13) Without warning, the Defendants, P.O. CHRISTOPHER LIAKOPOULOS and P.O. RUBEN REYNOSO fired their weapons at the Plaintiff numerous times from inside their police car.

14) Said use of deadly force was unnecessary.

15) Said use of deadly force was unreasonable.

16) Said use of deadly force was excessive.

17) There were no facts to justify the use of deadly force.

18) As a result of Defendants' above-described actions, the Plaintiff was seriously injured, sustaining multiple gunshot wounds, and had to be hospitalized.

19) The Plaintiff was not charged with any crime.

20) Said actions of the Defendants were intentional, willful, and wanton.

21) Said actions of the Defendants, P.O. CHRISTOPHER LIAKOPOULOS and P.O. RUBEN REYNOSO, violated the Plaintiffs, MIGUEL MEDINA'S, Fourth and Fourteenth Amendment Rights of the United States Constitution as protected by 42 U.S.C. §1983.

22) As a direct and proximate cause of said conduct of the Defendants, P.O. CHRISTOPHER LIAKOPOULOS and P.O. RUBEN REYNOSO, the Plaintiff, MIGUEL MEDINA, suffered violations of his constitutional rights, emotional distress, anxiety, fear, pain and suffering, monetary loss, future monetary loss, future pain and suffering, and permanent injuries.

WHEREFORE, the Plaintiff, MIGUEL MEDINA, prays for judgment against the Defendants, P.O. CHRISTOPHER LIAKOPOULOS and P.O. RUBEN REYNOSO, for reasonable compensatory damages, punitive damages, plus attorneys' fees and costs.

COUNT II – BATTERY/ ILLINOIS LAW

1-19) The Plaintiff hereby realleges and incorporates his allegations of paragraphs 3-20 of Count I as his respective allegations of paragraphs 1-19 of Count II as though fully set forth herein.

17) The Defendants intentionally fired at the Plaintiff and initiated such contact.

18) The actions of the Defendants constituted a battery under Illinois law in that these actions against the Plaintiff were not for a sufficient legal reason.

19) As a result of the actions of the Defendants the Plaintiffs suffered fear, pain, suffering, monetary loss, expense, and permanent injuries.

WHEREFORE, the Plaintiff, MIGUEL MEDINA, prays for judgment against the Defendants, P.O. CHRISTOPHER LIAKOPOULOS and P.O. RUBEN REYNOSO, for reasonable compensatory damages, and punitive damages.

COUNT III – FALSE ARREST

1-18) The Plaintiff hereby realleges and incorporates his allegations of paragraphs 1-18 of Count I as his respective allegations of paragraphs 1-18 of Count III as though fully set forth herein.

19) After the Plaintiff was treated for gunshot wounds he was in dire need for additional medical treatment.

20) Irrespective of that medical need, Miguel Medina was taken into custody and held for several hours in the police station.

21) No charges were filed against Miguel Medina because he did not commit any crime.

22) He was not free to go.

23) After being held in custody, due to his injuries and pain, he was hospitalized that night.

24) The seizure and detention was unlawful, violating his Fourth Amendment rights as protected by 42 U.S.C. §1983.

25) The seizure was the result of what the Defendants falsely told the authorities and other police.

26) Said actions were intentional, willful, and wanton.

27) As a direct and proximate cause of his arrest/seizure, the Plaintiff suffered

violations of his constitutional rights, emotional distress, fear, pain and suffering, and monetary loss.

WHEREFORE, the Plaintiff, MIGUEL MEDINA, prays for judgment against the Defendants, P.O. CHRISTOPHER LIAKOPOULOS and P.O. RUBEN REYNOSO, for reasonable compensatory damages, and punitive damages.

COUNT IV – CITY OF CHICAGO/ INDEMNIFICATION

1. Plaintiff hereby re-allege and incorporate their allegations of all previous of Counts I, II and III as his respective allegations of paragraph 1 of Count IV as though fully set forth herein.

2. Illinois law provides that public entities are directed to pay any tort judgment for compensatory damages for which employees are liable within the scope of their employment activities.

3. Defendants, P.O. CHRISTOPHER LIAKOPOULOS and P.O. RUBEN REYNOSO are or were an employee of the CITY OF CHICAGO and acted within the scope of their employment in committing the misconduct described herein.

WHEREFORE, should Defendants, P.O. CHRISTOPHER LIAKOPOULOS and/or P.O. RUBEN REYNOSO, be found liable for the acts alleged above, the Defendant CITY OF CHICAGO would be liable to pay the Plaintiff any judgment obtained against said Defendants.

WHEREFORE, the Plaintiff, MIGUEL MEDINA prays for judgment against the Defendant CITY OF CHICAGO for reasonable compensatory damages, plus attorney's fees and costs.

JURY DEMAND

The plaintiff, MIGUEL MEDINA, requests a trial by jury.

Respectfully submitted,

/s/Gregory E. Kulis

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